

GEORGE W. SPENCER.

JUNE 14, 1910.—Ordered to be printed.

Mr. BRIGGS, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 14288.]

The Committee on Military Affairs, to which was referred the bill (H. R. 14288) for the relief of George W. Spencer, having considered the same, reports it favorably and with the recommendation that it be passed.

Bills proposing to give this soldier an honorable discharge were reported favorably by the House Committee on Military Affairs in the Fifty-fifth and Fifty-sixth Congresses. From papers filed with the case it would appear that Spencer was enrolled April 20, 1861, and mustered into service May 7, 1861, as private in Company I, Eleventh Regiment New York Volunteers, to serve three years; that he was discharged at New York City September 18, 1861, for "worthlessness." There is, however, on file in the War Department a paper dated September 18, 1861, bearing the genuine signature of John Wildey, captain of Company I, Eleventh Volunteers, as follows:

I hereby certify that George W. Spencer was a member of Company I, Eleventh Regiment New York Volunteers, and is honorably discharged from said regiment. He done his duty while a member of same.

JOHN WILDEY, *Captain.*

SEPTEMBER 18, 1861.

Under date of August 21, 1874, his colonel filed with Spencer's affidavit an indorsement which contains the following:

The man wants a discharge in the usual form, inasmuch as I had filled the inclosed one in "by reason of worthlessness," as I had no time to investigate each case and wished those men who left the service at that time to derive as little benefit as possible from their discharges.

Col. Charles McK. Leoser, on March 28, 1883, indorsed the petition of Spencer as follows:

If the record of Spencer can be corrected as he desires, I hope it may be done, as I believe his statement is correct. He has lost his discharge.

CHARLES McK. LEOSER,
Formerly Colonel Commanding Eleventh Regiment New York Volunteers.

From House Report 2507 (56th Cong., 2d sess.), the committee finds that Col. Charles McK. Leoser, formerly colonel commanding, indorsed his application to the War Department, and in 1884 made affidavit setting forth that Spencer came to him stating that he needed money, as his widowed mother, he being her only support, was about to be dispossessed of her home, and not being able to receive his pay from the Government until he could be mustered, he, the colonel, recommended his discharge on the ground of humanity; that on receiving his discharge, it being granted on the ground of "worthlessness," Spencer was not willing to receive it, but being in great need of money on account of his mother he was compelled to accept the said discharge. "Deponent further says that the said Spencer while with the regiment was a good, faithful soldier, performing all the duties that were assigned to him." This affidavit was filed in The Adjutant-General's office on May 26, 1888, with a letter from Colonel Leoser to The Adjutant-General, as follows:

I am requested by George W. Spencer to say that I recommended his discharge for worthlessness, because the commanding general was of the opinion that that was the best course to pursue under the circumstances.

